

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 2:05-cr-214-T</b>
	)	
<b>SANDRA G. DIXON</b>	)	

**MOTION TO RECONSIDER DEFENDANT’S ORAL MOTION FOR RELEASE  
PENDING SENTENCING AND REQUEST FOR AN EVIDENTIARY HEARING**

**NOW COMES** the defendant, Sandra G. Dixon, by and through undersigned counsel, Donnie W. Bethel, and hereby moves this court, pursuant to 18 U.S.C. §§ 3143(a), to reconsider Defendant’s oral motion for release. Further, Defendant requests a hearing at which the Defendant will have the opportunity to offer sufficient evidence to convince the Court, by clear and convincing evidence, that Defendant should be released pending sentencing. In support of this motion, the Defendant would show the following:

1. On December 6, 2005, Defendant changed her plea from not guilty to guilty. Defendant then orally moved the Court to release her pending her sentencing hearing and offered to present evidence to the Court in support of her oral motion.

2. The Court noted that no one from probation or pretrial services was present at the hearing. The Court deferred ruling on Defendant’s motion until the Court could receive input from these sources.

3. On December 7, 2005, the Court denied Defendant’s motion. In the Court’s order denying Defendant’s motion, the Court noted that it had received oral reports concerning the Defendant from two pre-trial services officers and the probation officer, who unanimously

recommend against release based upon defendant's demonstrated inability in the past to refrain from drug use.

4. The Defendant has not had an opportunity to challenge at an evidentiary hearing the oral reports that the Court received, nor has the Defendant had an opportunity to present other evidence in support of her motion.

WHEREFORE, the Defendant, respectfully requests that this Court schedule an evidentiary hearing for the purpose of reconsidering Defendant's prior oral motion for release pending sentencing.

Dated this 15th day of December, 2005.

Respectfully submitted,

s/ Donnie W. Bethel  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 15, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Susan R. Redmond, Esq., Assistant U. S. Attorney, One Court Square, Suite 201, Montgomery, Alabama 36104.

Respectfully submitted,

s/ Donnie W. Bethel  
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